

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 1 and replaces the original sheet with Figs. 1 and 2.

Attachment: Replacement Sheet (1)

REMARKS

Claims 1, 2 and 4-13 are pending in this application. By this Amendment, claims 1, 5, 6, 9, 11 and 12 are amended and claim 3 is deleted without prejudice to, or disclaimer of, the subject matter recited therein, and claim 13 is added. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The Office Action objects to the drawings. The objection is obviated by the above amendment to the specification and in view of the attached replacement sheet.

The Office Action objects to claims 9-12 due to alleged informalities. However, claim 9 clearly recites: "filling the forming cavity and the auxiliary cavity formed between the mating faces of the female die and the male die with the polymerizable monomer." That is, it is clear from claim 9 that it is the cavities that are formed between the male and female dies that are filled with the polymerizable monomer. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 11 and 12 under 35 U.S.C. §112, second paragraph. The rejection is obviated by the above amendments. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 1-11 under 35 U.S.C. §103(a) over Seden et al. (Seden), U.S. Patent No. 4,955,580, in view of Clutterbuck, U.S. Patent No. 6,444,145. The rejection of canceled claim 3 is moot. The rejection of claims 1, 2 and 4-11 is respectfully traversed.

The combination of Seden and Clutterbuck does not disclose, and would not have rendered obvious, a contact lens forming die having at an outer peripheral side of mutual contact areas an auxiliary cavity of substantially closed structure to be filled with the polymerizable monomer during molding is formed by female and male dies positioned spaced

apart in opposition to each other in a die mating direction, and a tubular fitted part is formed by fitting together of the female and male dies at an outer peripheral side of the auxiliary cavity by means of tubular surfaces extending in the die mating direction, wherein by means of mating the female die and the male die with each other, the male and female dies are positioned spaced apart from each other by an outer peripheral side of the tubular fitted portion, forming an annular monomer reservoir that contains an excess polymerizable monomer during molding, as recited in independent claim 1.

The Office Action acknowledges that Seden fails to disclose the claimed combination of an abutting surface orthogonal to a die mating direction and an auxiliary reservoir in one embodiment, but cites Clutterbuck as allegedly overcoming the deficiency. Clutterbuck discloses an annular groove 119 at the outside periphery of a mutually contact portion (see Fig. 1a). However, in Clutterbuck the annular groove 119 is adapted to receive the excess lens material (see col. 3, line 17-19 and col. 4, lines 36 and 37). Further, as seen in Fig. 1a, the annular groove 119 clearly contains a gap where no polymerizable material is disposed. Thus, the reservoir 119 does not function as the claimed auxiliary cavity that is filled with a polymerizable monomer during molding. Therefore, the combination of Seden and Clutterbuck does not disclose, and would not have rendered obvious, a contact lens forming die having at an outer peripheral side of mutual contact areas an auxiliary cavity of substantially closed structure to be filled with the polymerizable monomer during molding is formed by female and male dies positioned spaced apart in opposition to each other in a die mating direction, and a tubular fitted part is formed by fitting together of the female and male dies at an outer peripheral side of the auxiliary cavity by means of tubular surfaces extending in the die mating direction, wherein by means of mating the female die and the male die with each other, the male and female dies are positioned spaced apart from each other by an outer peripheral side of the tubular fitted portion, forming an annular monomer reservoir that

contains an excess polymerizable monomer during molding, as recited in independent claim 1. Therefore, independent claim 1 and dependent claims 2 and 4-11 are patentable over the combination of Seden and Clutterbuck. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claim 12 under 35 U.S.C. §103(a) over Seden in view of Clutterbuck and further in view of Keeley, U.S. Patent No. 4,931,228. The rejection is respectfully traversed.

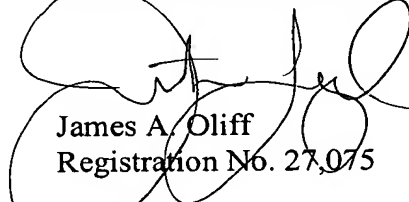
Because claim 12 incorporates the features of independent claim 1, and because Keeley fails to overcome the deficiencies of Seden and Clutterbuck, claim 12 also is patentable over the applied references for at least these reasons. Thus, it is respectfully requested that the rejection be withdrawn.

Added claim 13 also is patentable over the applied references at least for its dependency from independent claim 1, as well as for the additional features that claim 13 recites.

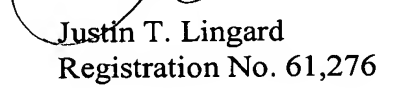
In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075



Justin T. Lingard
Registration No. 61,276

JAO:JTL/emd

Enclosure:
Replacement Sheet (1)

Date: November 13, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
